

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

William Percell Watkins

Date of Previous Judgment: 9/2/04  
(Use Date of Last Amended Judgment if Applicable)

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Case No: 1:03CR16-1

USM No: 18235-058

Claire Rauscher

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain): Although the defendant was charged with possessing cocaine base, the quantity of cocaine base for which he was responsible had no effect on the original sentencing guidelines, and the passage of Amendment 706 (Retroactive Crack Cocaine Reduction) does not change those guidelines.

### III. ADDITIONAL COMMENTS

The defendant filed a pro se motion. As such, the Federal Defender for the Western District of North Carolina, Claire Rauscher, is named as his attorney.

Except as provided above, all provisions of the judgment dated 9/2/04 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: December 9, 2008

Effective Date: \_\_\_\_\_  
(if different from order date)



Lacy H. Thornburg  
United States District Judge

